



THE MAINE CEO

A PERIODIC NEWSLETTER FOR
CODE ENFORCEMENT TRAINING & CERTIFICATION
PROGRAM INFORMATION

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NEW LAWS RELATED TO BUILDING CODES

- LD 1025 – An Act To Adopt a Model Building Code

FREQUENTLY ASKED QUESTIONS

MAINE MODEL BUILDING CODE 121ST LEGISLATIVE SESSION – LD 1025

Q. WHEN DOES LD 1025 – MAINE MODEL BUILDING CODE TAKE EFFECT?

A. THE BILL WILL TAKE EFFECT ON JULY 30TH, 2004.

Q. WHAT CODES ARE INCLUDED IN THE MAINE MODEL BUILDING CODE?

A. THE 2003 VERSION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE 2003 VERSION OF THE INTERNATIONAL RESIDENTIAL CODE (IRC). OTHER CODES AND STANDARDS REFERENCED IN THE INTERNATIONAL CODES ARE NOT AUTOMATICALLY ADOPTED AS PART OF THE MAINE MODEL BUILDING CODE. ALSO, IF PROVISIONS IN THE MAINE MODEL BUILDING CODE CONFLICT WITH THE PROVISIONS OF THE FOLLOWING STATE LAWS THEY MAY NOT BE ENFORCED: FIRE SAFETY CODES AND STANDARDS, ELECTRICAL STANDARDS, PLUMBING CODE, OIL AND SOLID FUEL BURNING EQUIPMENT STANDARDS, PROPANE AND NATURAL GAS EQUIPMENT STANDARDS, BOILER AND PRESSURE VESSEL STANDARDS, ELEVATOR STANDARDS, AND ENERGY EFFICIENCY STANDARDS

Q. WHERE CAN I GET A COPY OF THE CODE?

**A. CODES CAN BE OBTAINED THROUGH THE INTERNATIONAL CODE COUNCIL.
E-MAIL ADDRESS: www.iccsafe.org**

Q. IS IT MANDATORY FOR A MUNICIPALITY TO ADOPT A BUILDING CODE?

A. NO.

Q. WHAT HAPPENS WHEN A LOCALLY ADOPTED BUILDING CODE IS IN EXISTENCE BEFORE THE ADOPTION OF THE STATEWIDE BUILDING CODE?

A. IF A MUNICIPALITY HAS ALREADY ADOPTED A BUILDING CODE THEY MAY KEEP THEIR EXISTING CODE.

Q. WHAT IF A MUNICIPALITY HAS NOT ADOPTED A BUILDING CODE BUT WOULD LIKE TO ADOPT ONE AFTER THE BILL IS ENACTED?

A. IF A MUNICIPALITY CHOOSES TO ADOPT A CODE AFTER THE BILL IS ENACTED THEY MUST ADOPT THE IBC AND/OR THE IRC.

Q. WHAT IF A MUNICIPALITY HAS NOT ADOPTED A BUILDING CODE AND HAS NO INTENTION OF ADOPTING A CODE IN THE FUTURE?

A. A MUNICIPALITY IS NOT REQUIRED TO ADOPT A BUILDING CODE. HOWEVER, IF THEY CHOOSE TO DO SO AFTER ENACTMENT OF THE MAINE MODEL BUILDING CODE BILL, THEY MUST ADOPT THE IBC AND/OR THE IRC.

Q. ARE ALL CODES REFERENCED IN THE IBC AND THE IRC ADOPTED AS WELL?

A. NO.

Q. CAN A MUNICIPALITY ADOPT AMENDMENTS TO THE CODE?

A. YES, AS LONG AS THE AMENDMENTS DO NOT RESULT IN THE ADOPTION OF ALL OR A SIGNIFICANT PORTION OF ANY CODE OTHER THAN THE IBC OR THE IRC.

Q. HAS THE STATE OF MAINE INTERNAL PLUMBING CODE CHANGED?

A. NO. THE INTERNAL PLUMBING CODE REMAINS THE SAME.

Q. CAN A MUNICIPALITY ADOPT AN EXISTING BUILDING REHABILITATION CODE?

A. YES. A REHABILITATION CODE CAN BE ADOPTED WHETHER OR NOT A MUNICIPALITY HAS ADOPTED THE MAINE MODEL CODE.

Q. HOW DOES THIS CODE APPLY TO MANUFACTURED HOUSING?

A. MANUFACTURED HOMES (HUD HOMES) ARE EXEMPT FROM THE MAINE MODEL BUILDING CODE IN THAT THEY ARE BUILT TO THE NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS AND ARE INSPECTED AND CERTIFIED BY A THIRD PARTY. MODULAR HOMES ARE EXEMPT FROM THE MAINE MODEL BUILDING CODE IN THAT THEY ARE BUILT TO BUILDING CODES AS ADOPTED BY THE MAINE MANUFACTURED HOUSING BOARD (CURRENTLY 1993 BOCA, RULEMAKING IN EXECUTIVE REVIEW TO ADOPT THE 2003 IRC) AND ARE INSPECTED AND CERTIFIED FOR COMPLIANCE BY A THIRD PARTY. A LOCAL BUILDING INSPECTOR ONLY INSPECTS THE

FOUNDATION AND ANY ACCESSORY BUILDINGS. A PLUMBING INSPECTOR WOULD ONLY INSPECT PLUMBING THAT IS NOT PART OF THE BUILDINGS ENVELOPE (I.E. BASEMENT LAUNDRY, HOSE BIBS, BASEMENT WATERCLOSET, ETC.)

Q. WHO ENFORCES THE MAINE MODEL BUILDING CODE?

A. THE MAINE MODEL BUILDING CODE IS ENFORCED AT THE LOCAL LEVEL BY A MUNICIPAL BUILDING INSPECTOR.

Q. IS THERE A RESOURCE FOR TECHNICAL ASSISTANCE?

A. YES, THE INTERNATIONAL CODE COUNCIL WILL PROVIDE TECHNICAL ASSISTANCE IF YOUR MUNICIPALITY IS A MEMBER OF THEIR ORGANIZATION.

Q. HOW DOES A MUNICIPALITY BECOME A MEMBER OF ICC?

A. MORE INFORMATION ON MEMBERSHIP MAY BE FOUND AT
<http://www.iccsafe.org/membership/join.html>

Q. HOW DOES ACCESSIBILITY AND ADA FIT IN?

A. THE STATE FIRE MARSHAL'S OFFICE WILL STILL REVIEW PLANS FOR CONSTRUCTION, ALTERATION, AND CHANGE OF USE FOR PUBLIC BUILDINGS. THIS PROCESS INCLUDES A REVIEW FOR FIRE HAZARD REDUCTION AND BARRIER FREE PERMITS. SOME MUNICIPALITIES MAY HAVE ADOPTED ADDITIONAL STANDARDS. THERE IS ALSO AN APPENDIX IN THE CODE THAT ADDRESSES ACCESSIBILITY. IF ANY CONFLICTS OCCUR BETWEEN THE CODE AND THE FIRE MARSHAL'S OFFICE STANDARDS, THE FIRE MARSHAL'S OFFICE STANDARDS SHALL PREVAIL.

- LD 1663 – An Act To Provide Assistance to Municipalities Regarding Downtown Rehabilitation Building Codes.

This Act directs the State Planning Office to provide information, training and technical assistance to municipalities regarding local rehabilitation building codes, within available resources.

NOTE: The Contractor Licensing bill (LD 1551) failed to pass in the Legislature.

**Training & Examination Schedule
July – December 2004**

July, 2004	* Certification Examinations
August, 2004	* Internal Plumbing * Certification Examinations
September, 2004	* Subsurface Wastewater Disposal Field Session * Identification of Hazard Trees in the Shoreland Zone * Certification Examinations
October, 2004	* Introduction to the IBC and the IRC * Certification Examinations
November, 2004	* Multi Issue Forum (tentative) * Certification Examinations
December, 2004	* Certification Examinations

PLEASE NOTE THERE ARE FOUR (3) WORKSHOP
ANNOUNCEMENTS CONTAINED IN THIS
MAILING.

August - INTERNAL PLUMBING
September - SUBSURFACE WASTEWATER
DISPOSAL
October - INTRODUCTION TO IBC AND IRC

The announcement for the September workshop on Hazard Trees
in the Shoreland Zone will be sent out during the summer.

HAVE A WONDERFUL SUMMER, ENJOY!!
Stay safe!